

August 27, 2019

Mr. Maxwell Potember
Geo-Technology Associates, Inc.
3445-A Box Hill Corporate Center Dr.
Abingdon MD 21009

Re: Beyond Self Storage, 8228 Belair Road, 21236
Forest Buffer Variance
Tracking No. 05-19-2998

Dear Mr. Potember:

The Department of Environmental Protection and Sustainability (EPS) has completed a review of the variance request submitted for the referenced project pursuant to Baltimore County Code Article 33, Title 3, Protection of Water Quality, Streams, Wetlands and Floodplains. This redevelopment proposes impacts to 30,642 square feet of the forest buffer for the construction of a self-storage facility and the required infrastructure. Impacts include areas of existing buildings, asphalt, gravel, lawn areas, and areas of individual trees on maintained lawn. 16,844 square feet of the impacts are within areas of existing impervious surfaces, and the development results in a reduction of impervious surface area in the forest buffer. With the exception of a suitable stormwater management outfall on the bank of White Marsh Run, there are no stream or wetland impacts proposed. The applicant proposes planting non-forested buffer areas on the project site, and purchasing credits in an approved forest buffer mitigation bank to mitigate these impacts. The buffers are associated with White Marsh Run (Use IV waters).

It is agreed that the most viable alternatives for location of the buildings, access and parking areas, stormwater management facilities, and related infrastructure for this commercial development are the preferred alternatives. When considering site constraints, the layout minimizes impacts to resources and will improve water quality management with forest buffer planting and stormwater management. By providing the mitigation for the forest buffer impacts, and utilizing adequate sediment controls, the proposal can be managed to minimize water quality impacts.

This Department has reviewed the variance request and has determined that a practical difficulty and unreasonable hardship does exist. It is acknowledged that the potential for impacts to water quality and aquatic resources as a result of this proposal can be minimized by performing mitigative measures. Based on this review, the proposed forest buffer impacts for the redevelopment of this property meets the requirements of Baltimore County Code Section 33-3-106 and Section 33-3-112 (c) (2). The approvals are subject to the following conditions to minimize water quality impacts:

1. In accordance with Section 33-3-112 (c) (2) of the Baltimore County Code, the project shall be located, designed, constructed, and maintained to provide maximum erosion protection, to have the least adverse effects on wildlife, aquatic life, and their habitats, and to maintain hydrologic processes and water quality. Following any disturbance, the impacted area shall be restored.
2. The following note must appear on all plans submitted for this project:

“On August 27, 2019, a variance was granted by the Baltimore County Department of Environmental Protection and Sustainability (EPS) pursuant to Baltimore County Code Article 33, Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains to allow impacts to the forest buffer for redevelopment of this commercial property. Conditions, including on-site forest buffer planting, were placed on this variance to reduce water quality impacts.”
3. The proposed on-site planting of 26,729 square feet of forest buffer, and the purchase of 20,757 square feet of forest buffer mitigation in an approved forest buffer mitigation bank are acceptable for the mitigation. If an off-site forest buffer mitigation bank is unavailable, alternative mitigation options must be presented for review. Details of all mitigation and other forest buffer requirements for this project must be presented in a Forest Buffer Protection Plan (FBPP). The FBPP must be approved and a security provided with the Environmental Agreement for the project.
4. The forest buffer easements shall be permanently posted with “Forest Buffer - Do Not Disturb” signs as outlined in the FBPP required for this project.
5. The forest buffer easements, forest conservation easements, and forest buffer and forest conservation easements must be recorded in Baltimore County Land Records with the appropriate declarations of protective covenants, conditions, and restrictions.
6. The grading and sediment control plans must be reviewed and approved by this office.
7. All conditions of the variance must be completed to the satisfaction of this Department prior to any permit approvals for this project, unless otherwise stated above or in the FBPP.
8. Any required state/federal approvals for stream, wetland, and floodplain impacts must be received by this office prior to grading permit approval.

It is the intent of this Department to approve this variance subject to the above conditions. Any changes to site layout or plan information may require approval of an amended variance request.

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Please have the property owners and contract purchaser sign the statement at the end of this letter, and return the signed original of this letter to this Department within 21 calendar days. Failure to return a signed copy may render this approval null and void, or may result in delays in the processing of plans for this project.

If you have any questions regarding this correspondence, please contact Paul Dennis at (410) 887-3980.

Sincerely yours,

David V. Lykens
Director

DVL: pad

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I/We agree to the above conditions to bring this property into compliance with Baltimore County Code Article 33. Environmental Protection And Sustainability, Title 3. Protection of Water Quality, Streams, Wetlands, and Floodplains:

Property Owner	Printed Name	Date
Developer/Contract Purchaser	Printed Name	Date